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Elections to fill vacancies in subsidiary organs and other elections: election of eighteen members of the Human Rights Council

Note verbale dated 16 September 2015 from the Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretariat

The Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations presents its compliments to the Department for General Assembly and Conference Management and wishes to state that Venezuela presented its candidature to the Human Rights Council for the period 2016-2018 on 14 January 2013. The Permanent Mission attaches herewith a statement of the voluntary pledges and commitments of Venezuela pursuant to General Assembly resolution 60/251 (see annex).

The Permanent Mission would be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under item 113 (e).

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Annex to the note verbale dated 16 September 2015 from the Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretariat

[Original: Spanish]

Candidature of the Bolivarian Republic of Venezuela to the Human Rights Council, 2016-2018

Voluntary pledges and commitments pursuant to General Assembly resolution 60/251

1. The Bolivarian Republic of Venezuela recognizes the importance of the universal system of promotion and protection of human rights and has expressed its commitment to the strengthening and constructive effectiveness of the Human Rights Council, the main body of the United Nations responsible for the multilateral, objective, non-political and impartial treatment of human rights, as has been evidenced by Venezuela during the current period as an elected member of the Human Rights Council (2013-2015). In this regard, Venezuela submits its candidature to the Council for a second period from 1 January 2016 to 31 December 2018.

2. As a State member of the Human Rights Council, Venezuela has played a leading and effective role in the institutional strengthening of that body, with proposals aimed at consolidating the Council as a forum for genuine dialogue and honest and transparent cooperation, thus avoiding the political, selective, and biased application of double standards and subjectivity which led to the abolition of the Human Rights Commission. The latter body served primarily to carry out politically motivated actions against countries that were defending their sovereignty and self-determination and were striving to guarantee respect for and the promotion and realization of all human rights, including the right to development, and to have the democratic political model desired by peoples living in peace and democracy.

3. Venezuela calls for a continually strengthened Human Rights Council that is representative of the entire membership of the United Nations, which is essential for credibility and for guaranteeing human rights and fundamental freedoms for all States Members of the United Nations.

4. In addition to having signed and ratified the main human rights instruments, Venezuela has promoted human rights-based regional unification and integration mechanisms in Latin America and the Caribbean and enhanced cooperation with brother countries with comparable levels of social and economic inclusion, working continuously to guarantee all human rights. Thus, we are able to approach international cooperation as a means of sharing good practices, facing challenges and making human rights a constructive language, thereby turning cooperation into a comprehensive activity defined by mutual agreement, complementarity, solidarity and non-interference in the internal affairs of States, in accordance with the conditions and needs of peoples.

5. In October 2011, Venezuela successfully presented its first report to the Human Rights Council under the universal periodic review process. The report was the fruit of an extensive preparation process: an inter-agency working group comprising the five branches of the national Government was established and,

acting on the cross-cutting priority of the right to political participation, enabled broad internal dialogue and social consultation through which social organizations and movements, organized communities and non-governmental associations made more than 500 contributions. Since the interactive dialogue with the Council, the Bolivarian State has been working hard to implement, by the second cycle of the review process in July 2016, all of the commitments and recommendations — including ten voluntary recommendations — that it accepted during the October 2011 review.

6. On 24 September 2013, during its current membership of the Human Rights Council, Venezuela, in conformity with the recommendations made by members of the Council in the universal periodic review process and faithful to its convictions, deposited its document of accession to the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto with the Secretariat, and it is preparing the initial report, to be submitted in October 2015. Consequently, the country is enhancing its commitments to and observance of the human rights of the most vulnerable sectors of society.

7. Among the commitments undertaken by the Venezuelan State during the 2011 universal periodic review process were the strengthening of the effective response system and the follow-up of international commitments under human rights treaties and other ratified conventions through the implementation of a data collection system involving all branches of the national Government, as indicated to the respective treaty bodies. This process intensified initiatives for participatory, inclusive and mutually responsible consultation in the wide-ranging forums of social organizations, organized communities and non-governmental organizations.

8. As a result of the commitment to human rights and the considerable effort of all State agencies, from 2012 to 2015, Venezuela fulfilled its reporting obligations to the treaty bodies: in August 2013, the State presented its nineteenth to twenty-first periodic reports on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination. Subsequently, in 2014, it submitted its combined third to fifth periodic reports to the Committee on the Rights of the Child, its combined seventh and eighth periodic reports to the Committee on the Elimination of Discrimination against Women, and its fourth periodic report to the Committee against Torture of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. During the first week of June 2015, the Venezuelan State submitted its third periodic report on the application of the International Covenant on Economic, Social and Cultural Rights and, at the 114th session of the Human Rights Committee, held in late June 2015, submitted its fourth periodic report on the implementation of the International Covenant on Civil and Political Rights, with the active participation of social organizations, organized communities and non-governmental associations.

9. During the interactive dialogue with each of the treaty bodies, the Venezuelan State strongly rejected the use of human rights for purposes that ran counter to their true nature or as a means of advancing political interests, particularly those of powerful countries that seek to exert control over the sovereignty and self-determination of peoples. Venezuela warned that the economic interests of non-governmental associations and national political sectors working for human rights cannot and must not undermine understanding between or within nations

through the selective and politically motivated use of human rights to the detriment of the purposes and principles of the Charter of the United Nations.

10. With the submission of its first report under the universal periodic review process, Venezuela steadily strengthened its ties with the universal human rights system, enhanced its provision of information and disclosed the challenges it faces. All the while, it has endeavoured to point out to the Office of the United Nations High Commissioner for Human Rights that, as a fundamental norm, the Office's treatment of cases brought before the universal human rights system should be neutral, objective and non-selective, given its role as the administrative body for special rapporteurs, thematic experts and working groups, as well as members of the respective human rights committees.

11. Venezuela has maintained close links with the agencies and programmes of the United Nations development system. It has held meetings at the highest level, including with the Secretary-General, thereby improving the flow of information, cooperation projects and assistance to complement public policy in the area of human rights. Human rights have become a cross-cutting theme in development policies, demonstrating the country's commitment to, implementation of and respect for human rights, and its willingness to be assisted and to provide timely information on progress and internal challenges on human rights.

12. The Bolivarian Republic of Venezuela continues to support the transformation and strengthening of the regional human rights protection system and, as such, is committed to the diversification of bodies, relationships and initiatives that are pluralistic, inclusive and non-selective. As an illustration of such relationships, the country has been contributing to the strengthening of the Community of Latin American and Caribbean States (CELAC), the Union of South American Nations and the Southern Common Market. During the third Summit of Heads of State and Government of CELAC, held in Belén, Costa Rica, in January 2015, the Bolivarian Republic of Venezuela promoted respect for democracy within the framework of the rule of law and protection of all human rights, including the right to development and to peace, in reference to and implementation of the United Nations Declaration on the Right to Development of December 1986.

13. Venezuela has contributed to the recognition of the Latin American and Caribbean region as a zone of peace free of weapons of mass destruction, the promotion of the peaceful settlement of disputes, and respect for sovereignty and self-determination, and aspires to the elimination of the danger of war, the threat of force and interference in the internal affairs of States.

14. The Bolivarian Republic of Venezuela has incorporated human rights as a cross-cutting theme in all public policies, which promote, respect, guarantee and realize all human rights, in compliance with the national Constitution and treaties signed by the Republic. At the domestic level, the country adopted the Act on the Second Socialist National Economic and Social Development Plan, 2013-2019, which sets out the main lines of action.

15. In April 2014, the President of the Bolivarian Republic of Venezuela created the National Council for Human Rights with a view to strengthening public policy as a cross-cutting pillar of the Venezuelan State in the area of human rights. The Council was established to coordinate the vast institutional framework that exists to guarantee, promote, respect and realize human rights and to support and promote

State policies aimed at ensuring the free exercise of human rights for all who live within the jurisdiction of the State, with special emphasis on the most vulnerable and socially at-risk groups. It was also established to systematize progress, monitor compliance with national and international commitments, detect challenges promptly and promote the necessary efforts to strengthen human rights actions.

16. As part of the institutional strengthening of the promotion and protection of human rights, the National Human Rights Council presented a national human rights plan in July 2015 which aims to create the structural conditions for the continued and steady increase in respect for and guarantees and enjoyment of human rights for all persons within the jurisdiction of the State, as well as to achieve and consolidate supreme social happiness and good living. To achieve these objectives, the plan establishes a set of programmatic actions focused on five structural pillars:

(a) Building an emancipatory human rights culture;

(b) Strengthening the institutional framework for ensuring the rights of all;

(c) Having the people play a leading role for the full enjoyment of human rights;

(d) Adopting a transformative vision in relationships with international human rights bodies and systems;

(e) Deepening the human rights-based approach in the legislation, policy and actions of the State.

17. These programmatic thrusts are based on the review and systematization of the public policies implemented by the Venezuelan State, undertaken following the 1999 drafting process that produced the current national Constitution, and on the recommendations made by international human rights treaty bodies, including during the universal periodic review process, as well as by the Office of the Ombudsman, social organizations and non-governmental human rights organizations. The national plan will be approved by a referendum that is expected to be completed during the last quarter of 2015. The wide and in-depth consultations will give the requisite legitimacy to enable continuous review of the plan's content and ensure the full and progressive realization of all human rights.

18. To monitor progress with regard to compliance with the human rights treaties ratified by the Bolivarian Republic of Venezuela, taking into account the recommendations of the treaty bodies, a project to implement a national system of specialized indicators was designed, in cooperation with the United Nations Development Programme and the United Nations Country Office in Venezuela. The project is ongoing and the system is expected to become operational during the first half of 2016.

19. In line with the principle of the progressive realization of human rights, and in order to ensure fair and equal representation in elected posts, the electoral branch approved a special regulation guaranteeing the rights to parity in political participation for the legislative elections scheduled for 6 December 2015. As in the 2008 elections, the regulation mandates an equal number of and alternation between male and female candidates on lists, and where exact parity is impossible, a minimum of 40 per cent of candidates must be women; this would result in active participation of women in the political life of the Venezuelan State, in this case as members of parliament. This decision confirms the cross-cutting approach that the

Venezuelan State has adopted on women's political participation, in line with the recommendation made by the Human Rights Committee.

20. Venezuela has a broad regulatory framework devoted to the protection of gender equality and equity, and has created different entities to promote the participation and empowerment of women, including committees on women and gender equality. The Venezuelan Government promotes the establishment of management committees on women and gender equality within organized communities at the commune level, and committees for women and gender equality in the more than 43,000 communal councils formed throughout the country. Both of these popular power entities advocate for the rights of women in everyday life, including for the right of women to a life free of violence and for greater political participation.

21. The Presidential Council for Women, as a people's entity, was put in place to promote the participation of women's and feminist organizations, in order for the different movements and fronts that comprise it to produce proposals for the design and implementation of public policies aimed at the development of women and gender equality, to be submitted to the President of the Republic and the Ministry of Popular Power for Women and Gender Equality.

22. The integration of women into high-level public governance positions has been steady and gradual. By 2014, three of the five public authorities (the electoral, civil and judicial authorities) were headed by women. Within the judiciary, women's representation in high-level positions increased by 35 per cent between 1999 and 2012, as women accounted for 6.7 per cent of the justices on the Supreme Court of Justice in 1999, and by 2012, 43.8 per cent of justices were women.

23. Regarding freedom of expression and opinion, there were 44 open television concessions in Venezuela in 1999, of which 36 were commercial. Since then, 73 new concessions have been granted. The number of private concessions on broadcast television rose from 36 to 63 in 15 years. The same is true of the radio sector, in which private frequency modulated concessions rose from 329 in 1999 to 516 in 2015, that is, 187 new radio concessions were granted to the private sector, expanding the right to and diversity of opinion and freedom of expression. Some 262 concessions have also been granted to small community stations, expanding the participation of new actors on the broad spectrum of freedom of expression. This is in addition to 87 new public radio concessions, with plurality and diversity as the main driving force, breaking monopolies and media exclusivity. Moreover, there are over 30 million mobile phone lines in Venezuela, of which more than half are smart phones, which expand freedom of expression and opinion.

24. Venezuela has continued to develop social programmes and missions that uphold rights with respect to the elimination of discrimination for any reason, strengthened political participation, public safety, housing and care for groups at particular risk. An important example is the establishment and operational launch of the Institute against Racial Discrimination, which has specifically and actively promoted discussion and dissemination of the Organic Law against Racial Discrimination through the immediate implementation of the Declaration and Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, adopted in Durban in 2001.

25. The Ministry of Popular Power for Communication and Information is one of the national bodies that has disseminated and promoted human rights within the national public media. In that regard, training programmes have been implemented in order to train volunteer groups from different social sectors to act as multipliers by promoting human rights in their everyday spaces. To that end, the methodology used is based on systematic training in that area and on the provision of tools and strategies for the dissemination of information. The Ministry of Popular Power for Education has been incorporating human rights training into the educational curriculum at all levels and in all areas of the Venezuelan education system, a laudable task also undertaken systematically by the Office of the Ombudsman.

26. In terms of public safety, the successful implementation of the Comprehensive Plan for Prevention and Public Safety is expected to continue, under which various plans and programmes have been implemented, such as the national prevention system; the integrated police system — which includes the strengthening of constitutional principles and human rights as a cross-cutting element of training — and manuals for the implementation of proportional and differentiated use of force, all in accordance with international treaties and conventions, including the plan to humanize the penitentiary system.

27. As part of the implementation of the Comprehensive Plan for Prevention and Public Safety, the National Experimental Security University was established and is fully operational throughout the national territory with the successful incorporation of the Bolivarian National Police, thereby meeting the international standard for police coverage rates: 3.6 police officers per 1,000 inhabitants. It is worth mentioning that there is a real challenge in matters of public safety, with efforts being made daily to ensure the peace and preservation of life in the face of the complex reality of ordinary crime and gangs organized for political aims by foreign elements who intend to do away by political means with the social inclusion and inequality reduction that have been promoted in Venezuela since 1999.

28. With regard to the human right to adequate housing, in August 2009 the State promoted the Barrio Nuevo, Barrio Tricolor (New Neighbourhood, Tricolour Neighbourhood) housing renovation plan. The process begins with roof replacement, paint jobs and repair of the housing unit's internal structure, including plumbing, electricity, flooring, potable water distribution, wastewater, sewer and flood drainage, walkways and stairs, and ends with the remodelling of the facades and pathways. The aim of this plan is to confer dignity upon lower-income Venezuelan families by providing them with decent housing.

29. Since 2011, the Gran Misión Vivienda Venezuela (Great Housing Mission Venezuela) has been implemented, an effort by the Venezuelan State to address the country's housing shortage problem structurally and definitively. Up until the first half of 2015, the Gran Misión Vivienda Venezuela has built more than 700,000 decent housing units, with a target of over 2,300,000 units by 2019. This process will go hand in hand with the goal of eradicating poverty by the same date, benefiting over 15 million people.

30. The Bolivarian Republic of Venezuela strongly reaffirms its rejection of the use of human rights for purposes unrelated to their true nature and as a vehicle for advancing the political interests of elites, actions that undermine understanding within and between nations, with the aim of violating the principles and norms of the Charter of the United Nations, the Universal Declaration of Human Rights and

international human rights treaties, to the detriment of national and international peace.

31. In that regard, it should be noted that as a member of the Human Rights Council, Venezuela will maintain the commitment it has demonstrated throughout the current 2013-2015 period to contribute to the strengthening and improved effectiveness of the main United Nations entity for the objective, non-politicized, non-selective treatment of human rights issues and the mechanism for constructive cooperation that is the universal periodic review, as a clear opportunity for States to receive and provide observations and contributions, highlight their progress and good practices, and share their major challenges in the area of human rights.